

REMARKS

Responsive to the Office Action mailed on August 2, 2007 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

Claims 12-21 are pending in the application. Claims 12-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Willis (US 3,178,770).

In this paper, claims 12 and 18 are amended to recite that the shaping knife (or knives) is substantially planar in shape, and has a longitudinal molding surface extending to a distal end thereof to form the first profile. Support for the amendments can be found at least in Figs. 9A-9B, 10A-10C and related portions of the application.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

Rejections Under 35 U.S.C. 102(b)

Claims 12-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Willis. To the extent that the grounds of the rejections may be applied to the claims now pending in this application, they are respectfully traversed.

To anticipate a claim, a reference must teach every element of the claim. In this regard, the Federal Circuit has held:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

As amended, each of claims 12 and 18 recite that a method for producing a continuous extrusion molding product with varying profile using a molding machine comprising a die and at least one shaping knife which is substantially planar in shape, and has a longitudinal molding surface extending to a distal end thereof to form the first profile.

Willis teaches a variable orifice extruder die capable of producing tapered extruded material with varying cross sectional design. As shown in Fig. 8 of Willis, material is extruded through the orifice defined by two circumferentially extending shaping means 14 and 15 (complementary grooves) around the cylinders 4 and 5. It is noted that the shaping means 14 and 15 are circumferentially formed on the cylinders 4. This differs from the shaping knife recited in claims 12 and 18, in which the shaping knife (or knives) is substantially planar in shape, and has a longitudinal molding surface extending to a distal end thereof to form the first profile

Furthermore, Applicant notes that the shaping means 14 and 15 in Willis are rotatable around the central axes of the cylinders 4 and 5, which is perpendicular to the flow direction of the molten material. Thus, Willis also fails to teach or suggest rotating a shaping knife about an axis oblique to the flow direction of the molten material to a second operational position, as recited in claims 15 and 18 of the present application.

For at least the reasons described above, it is Applicant's belief that the cited reference fails to teach or suggest all the limitations of claims 12, 15 and 18. Applicant therefore respectfully requests that the rejections of claims 12, 15 and 18 be withdrawn and the claim passed to issue. Insofar as claims 13-14, 16-17 and 19-21 depend from one of claim 12 and 18, and therefore incorporate all of the limitations of one of claim 12 and 18, it is Applicant's belief that these claims are also in condition for allowance.

Appl. No. 10/802,715
Examiner: GODFREY, KEITH JOSEPH, Art Unit 1732
In response to the Office Action dated August 2, 2007

Date: October 22, 2007
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Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so. The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to Deposit Account No. **502447**.

Respectfully submitted,

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